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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,554	11/14/2000	Robert W. Hammond	1448	9467

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EXAMINER	
BARQADLE, YASIN M	
ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/712,554

Applicant(s)

HAMMOND, ROBERT W.

Examiner

Yasin M Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-8, 12 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. Applicant's arguments filed on May 26, 2004 have been fully considered but are not deemed to be persuasive.

Response to Arguments

In considering applicant's arguments, page 6, last paragraph that ``Harvey's newly created list is generated for the inviting user, while the present invention's second Personal Address Book is created for the invitee''. Examiner respectfully notes that the claim requires creating an address book for the users who provided an acceptance for invitation. As such, Harvey teaches a data storage module that includes user information such as what communities a user is a member and is subscribed to, what invitation a user has received, what invitation a user has accepted (col.6, lines 56 to col. 7, line 6). Harvey also teaches an invitation module where a user invites other users to join a community (col. 7, lines 16-20 and lines 46-48). Users who accept the invitation, identification for the community and a password for the community are provided to ensure their membership (col. 15, lines 9-23). Furthermore, Harvey's invited users from the address book and from the Pal list are made so that a new community is created for those who accept the invitation as explained above. Therefore, it is obvious that for each invitee who accepts an invitation to subscribe to a subscribing community becomes a member of that community based

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on his acceptance of the invitation and hence a new community is created for those joining the community. A user is motivated to accept and invitation and join a community for the advantage of accessing content objects, such as subscription objects, application objects, mailing list, chat sessions and other contents, which form the community. Further, upon entering the community, a user may automatically receive updated content objects as appropriate (col. 16, line 29-39 and col. 17, lines 2-9).

As to applicant's arguments on page 9, last paragraph that ``Lim does not make up for Harvey's deficiencies with respect to claims 5, 12 and 15. Examiner notes that Lim was solely relied on receiving a voice message from a user, which Harvey did not teach, and as such the examiner gave an appropriate motivation regarding this limitation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al USPN. (6487583).

As per claim 4, Harvey et al teach a method for extending a subscribing community and providing userservices using a Personal Address Book, said method comprising the steps of:

establishing a first Personal Address Book (address book), said first Personal Address Book containing a plurality of entries, each of said entries having associated connection information and an associated user [col. 4, line 44-61; col. 7, line 24-48 and col. 13, lines 26-65];

marking selected ones of said plurality of entries [col. 4, line 49-61; col. 11, lines 16-37 and col. 13, lines 26-65];

sending an invitation to said associated users of said entries marked in said marking step by utilizing said connection information in said entries marked in said marking step [col. 4, line 44-61; col. 11, line 16-50]; and

receiving acceptances from the associated user of selected ones of said entries marked in said marking step and, in response to receiving each of said acceptances, creating Personal Address Book [col. 13, lines 6-26; col. 14, line 65 to col. 15. line 23 and col. 17, lines 10-42].

Although, Harvey et al shows substantial features of the claimed invention including a communication address book such as email address book and chat address book, he does silent regarding

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creating a second personal address book. However, Harvey et al discloses creating new community by generating an invitation message to other users and inviting them to join the community [col. 7, lines 16-20 and lines 46-48 and col. 13, lines 26-65]. In Harvey's system a user invites people from an address book and pals list into a community and a client application reads a communication address book and pals list and put the names and addresses into a list [col. 17, lines 27-42], hence obviously creating a second address list. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the newly created list containing names and addresses as a second personal address book for the advantage of organizing and maintaining an up-to-date address book that is easily accessible to its owners and to utilize it for sending personalized messages to online community members and friends. Further, upon entering the community, a user may automatically receive updated content objects as appropriate

As per claim 6, Harvey et al as modified teach the method of claim 4 wherein said step of establishing said Personal Address Book includes creating a new Personal Address Book [col. 4, line 44-61 and col. 13, line 19-65].

As per claim 7, Harvey et al teach the method of claim 6, further comprising the step of filling said entries of said Personal Address Book with information [col. 7, line 24-48].

As per claim 8, Harvey et al teach the method of claim 6, further comprising the step of creating a linkage to a plurality of services, wherein said services include e-mail [col. 6, line 47-59].

2. Claims 5, and 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al USPN 6487583) in view of Lim et al USPN (6574599).

As per claim 5, although Harvey et al shows substantial features of the claimed invention, he does not explicitly show receiving a voice message from a user.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Harvey et al, as evidenced by Lim et al USPN. (6574599). In analogous art, Lim et al disclose a unified messaging system that receives verbal (voice) input from a user through a telephone. The verbal (voice) input includes an action word and called party identity or contacting data [abstract].

Giving the teaching of Lim et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Harvey et al by employing the system of Lim et al for permitting a user to employ voice-based commands to access various data-centric and telephony-centric communication services of a computer-implemented unified messaging service

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and/or to issue, in a natural and intuitive manner, complex communication requests involving more than one telephone number/email address [col. 3, lines 57-63].

As per claims 12 and 15, Harvey et al and Lim et al teach the invention as modified and explained in claim 4 above and later in claim 13.

Harvey et al access means for accessing a Personal Address Book, said Personal Address Book containing a plurality of callers [fig. 3 and col. 4, lines 2-11; col. 7 line 63 to col. 8, line 2];

Harvey et al teaches selection means, coupled to said access means, for selecting callers (users), (Lim teaches extensively about callers) in said Personal Address Book as invited callers [col. 13, lines 6-26];

contact means, coupled to said selection means, for contacting said invited callers and asking said selected callers to join a subscribing community [see Harvey col. 13, lines 6-26];

reception means for receiving an answer from said invited callers [see Harvey col. 13, lines 6-26]; and

creation means, coupled to said reception means, for creating a plurality of Personal Address Books in response to receiving said answer from said invited callers [see Harvey col. 7, line 24-48 and col. 13, lines 6-26; col. 14, line 65 to col. 15 line 23].

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Although, Harvey and Lim show substantial features of the claimed invention, they do not explicitly show creating a second personal address book. However, Harvey et al discloses creating new community by generating an invitation message to other users and inviting them to join the community [col. 13, lines 26-65]. A user invites people from an address book and pals list into a community and a client application reads a communication address book and pals list and put the names and addresses into a list [col. 17, lines 27-42]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Harvey and Lim by employing the newly created list containing names and addresses as a second personal address book for the advantage of organizing and maintaining an up-to-date address book that is easily accessible to its owners and to utilize it for sending personalized messages to online community members and friends.

Conclusion

2. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of

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the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Bargadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Bargadle



GLENN B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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